

PUBLIC RECORD

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AUG 08 2003

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF

COSTONTINO GIORDANO, D.C.
License No. MC 5411

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Chiropractic Examiners (hereinafter "the Board") upon receipt of information from Dr. Giordano (hereinafter "Respondent") that on April 9, 2003, he had been charged in a criminal complaint originating out of Passaic County, New Jersey with one count of aggravated sexual assault (second degree) on, and one count of sexual contact (fourth degree) with, an adult female patient, contrary to the provisions of N.J.S.A. 2C:14-2c(1) and N.J.S.A. 2C:14-3b. The sexual assault and sexual contact allegedly occurred on or about April 2, 2003, in Respondent's office at 657 Van Houten Ave., Clifton, New Jersey, and was subsequently reported to police on April 7, 2003.

On April 22, 2003, Frank P. Arleo, Esq., counsel for Respondent, wrote to the Board to formally notify it of the charges and to advise that his client vehemently denies the charges. On behalf of Respondent, Mr. Arleo suggested entering into a consent order which would permit Respondent to continue his practice with proper safeguards pending disposition of the charges.

Respondent having agreed to voluntary restrictions on his practice of chiropractic pending disposition of the criminal charges or further action by the Board, and the Board believing that the practice restrictions herein are adequately protective of the public health, safety and welfare, and for good cause shown:


IT IS ON THIS 8th DAY OF August, 2003

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall engage the use of a female monitor(s), whose name(s) shall be provided to, and pre-approved by, the Board, and who shall have been made aware of this order and the charges recited herein; to be present in the treatment room for all periods of time during which any treatment is being rendered to female patients by Respondent ; and
2. The approved monitor(s) shall report to the Board immediately if practicable, and in all cases within 24 hours, any occurrence or behavior observed which the monitor(s) in good faith believes to have been inappropriate or potentially violative of this order. The monitor(s) shall provide to the Board a status report of her (their) hours and observations every thirty (30) days; and
3. Respondent shall notify the Board in writing within 10 days of the commencement of each and every stage of the criminal proceedings pending against the Respondent, and of any other change in the status of said proceedings, including the filing of any additional charges; and

4. Respondent's failure to comply with any of the provisions of this Order may result in disciplinary proceedings being initiated against him by the Board for failure to comply with an Order of the Board. Furthermore, nothing herein shall preclude the Board from pursuing any further action against the Respondent which may be authorized by law.

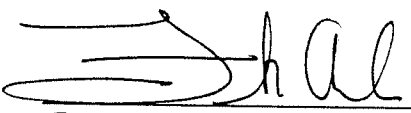
NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS

By: 
Mary Ellen Rada, D.C.
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Costantino Giordano, D.C.

This order is hereby agreed to as to its form and entry.


Frank Arleo, Esq.
Attorney for Costantino Giordano, D.C.